

(*Note Continued:* Thereafter, as of March 23, 1968, Vermont changed courses. It enacted House Bill 450, by far the most stringent sign legislation ever enacted in the continental United States, repealing all prior outdoor advertising laws and barring absolutely all *PRIVATELY OWNED, off-premise outdoor advertising both in cities and rural areas*. At the same time, and recognizing the essentiality of signs, H. 450 put the State of Vermont into the outdoor advertising business. Under a maze of complexities and provisions that appear unworkable, in our opinion, H. 450 provides that "lawful businesses" are eligible for state-owned directional signs (up to four), subject to the provisions of the Act and rules and regulations as to their locations, etc. *Question:* Why not let private industry continue to provide needed signs, subject to such rules and regulations?)

Virginia: Open-End.

PASSED IN 1967

Arkansas: Open-End.

California: "Unzoned commercial or industrial area" means an area not zoned under authority of state law in which the land use is characteristic of that generally permitted only in areas which are actually zoned commercial or industrial under authority of state law, embracing all of the land on which one or more commercial or industrial activities are conducted, including all land within 1,000 feet, measured in each direction, from the nearest edge of the commercial or industrial building or activity on such land." (Section 5213, Business and Professions Code, added by Chapter 1408, Laws of 1967.)

This definition is relatively firm (not open-end). Though the California law provides that it may be modified by the Federal-State agreement, such modification must be submitted to the legislature for adoption, failing which the judicial review procedures of the Federal Act come into play.

(*Note:* Although this firm definition is more restrictive than the rural outdoor industry can live with, it apparently was not restrictive enough for the BPR—which will not go along with 1000 feet, nor generally with measurements that "cross the highway" (exception: Utah). Thus the Federal-State agreement with California ducks the issue and provides—improperly in our opinion: "Since existing State law has encouraged the zoning of all areas of the State of California, there eventually will be no unzoned areas in the State. There is, therefore, no need to define "unzoned industrial or commercial area" as part of this Agreement * * *. As to the portions of the State which currently are still unzoned, the State and the Secretary of Transportation shall enter into a temporary agreement concerning signs placed within those few remote areas of the State which are not as yet zoned." We do not know whether such a temporary agreement has been reached.)

Connecticut: Open-End.

Georgia: Act 271, Laws 1967, by its Section 1(i) defines "business area" to include land not zoned industrial or commercial, "but which constitutes an unzoned commercial or industrial area which is used for or occupied by one or more commercial or industrial activities, or an adjacent area which is located within the approaches to an incorporated municipality under conditions contained in Section 3(f) of this Act. Outdoor Advertising devices, agricultural, forestry, ranching, grazing, farming and related activities shall not be commercial, industrial, marketing, or mercantile activities for the purposes of this definition."

It then provides in said Section 3(f) that off-premise signs may be erected and maintained "in a business area adjacent to an incorporated municipality (unless in conflict with local zoning laws) under the following conditions as determined by the United States Decennial Census of 1960 or any future Decennial Census:

Municipality:	Distance allowed
(1) 0 to 5,000 population.....	2 miles adjacent.
(2) 5,000 to 25,000 population.....	4 miles adjacent.
(3) 25,000 to 50,000 population.....	6 miles adjacent.
(4) 50,000 and over.....	8 miles adjacent.

Signs, displays and devices in these adjacent areas shall not be located within 300' of a residence without the owner's written permission and shall not be located within 500' of a public park or public playground * * *."

Idaho: Open-End.

Indiana: By Chapter 293, Laws 1967, Section 5, Indiana provided: "For the purposes of this act, unzoned commercial or industrial area mean (1) An adjacent area unzoned commercial or industrial which is used for or occupied by